



NATIONS IN TRANSIT 2020

Moldova

TRANSITIONAL OR HYBRID REGIME

35

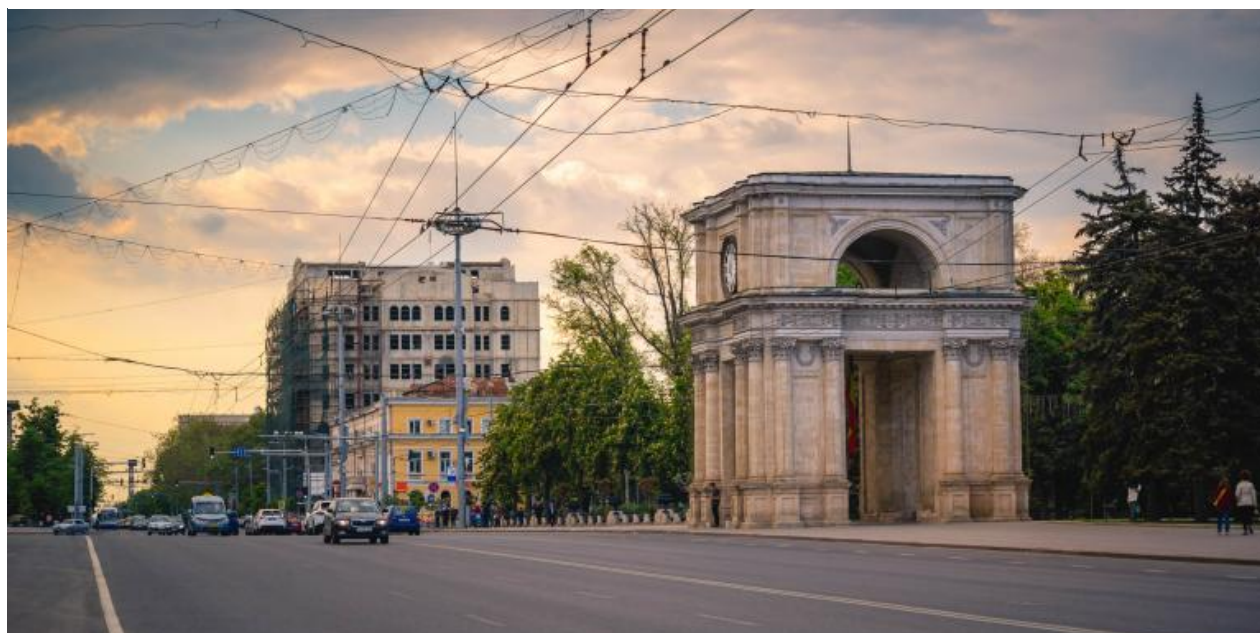
/100

Democracy Percentage	35.12 /100
Democracy Score	3.11 /7

LAST YEAR'S DEMOCRACY PERCENTAGE & STATUS

34 /100 **Transitional or Hybrid Regime**

The ratings are based on a scale of 1 to 7, with 7 representing the highest level of democratic progress and 1 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The Democracy Percentage, introduced in 2020, is a translation of the Democracy Score to the 0-100 scale, where 0 equals least democratic and 100 equals most democratic.



Score changes in 2020

- National Democratic Governance rating improved from 2.25 to 2.50 due to the ouster of political figures, including PDM leader and oligarch Vladimir Plahotniuc and Orhei mayor Ilan Shor, who exerted informal control over the country's government.
- Corruption rating improved from 2.00 to 2.25 due to new government-led efforts to combat corruption implemented after the 2019 post-election political crisis, which have led to an increased number of criminal charges against high- and medium-level officials.

Executive Summary

By Victor Gotisan

The year 2019 was probably the most turbulent in Moldovan politics in a decade. The results of the February parliamentary elections radically changed the political situation in the country. Two camps with totally different visions—the pro-Russian Party of Socialists of the Republic of Moldova (PSRM) and the pro-European electoral bloc ACUM (consisting of the Party of Action and Solidarity, or PAS, and the Dignity and Truth Platform Party, or PPDA)—created a “compromise coalition” in June in order to remove the oligarchic regime built by the Democratic Party of Moldova (PDM), which had been in power since 2015. ¹ PSRM leader Zinaida Greceanîi was named speaker of Parliament, while PAS leader Maia Sandu was named prime minister. Prior to the coalition's formation, the PDM organized protests and blocked the working of state institutions, leading coalition leaders to accuse it of attempting to usurp control of the country. ² The Sandu government moved to prosecute key figures from the former regime, like PDM leader and influential oligarch Vladimir Plahotniuc, who fled the country. ³ The coalition was very fragile and endured only five months, collapsing in November 2019 after the

PSRM initiated a no-confidence vote. This restored the tacit alliance between the PDM and the PSRM, as the two parties joined forces to create a new government, with former PSRM leader and current President Igor Dodon's advisor Ion Chicu serving as prime minister.

The main achievements of the brief PSRM-ACUM “compromise coalition” included judicial reforms, the de-monopolization of some sectors controlled by people or companies close to the PDM, and investigations into cases of corruption and expropriation of state assets that took place from 2013 to 2019, like the “billion-dollar theft” of assets from three Moldovan banks and the illicit concession of Chişinău International Airport. As a result of these investigations, several lawmakers from the PDM and the Shor Party had their parliamentary immunity waived so that criminal proceedings against them could begin. The coalition also began the process of changing the leadership and management of strategic state institutions like the Intelligence and Security Service (SIS) controlled by the PDM and Plahotniuc. However, this effort failed, as the PSRM and Dodon successfully installed their own loyalists in these institutions. So, by the end of the year, Moldova found itself on the brink—a hybrid regime with clear elements of an authoritarian regime.

The electoral process was under considerable strain in 2019. Moldova organized two electoral campaigns, parliamentary elections in February and local elections in October, both of which suffered in terms of fairness and equal access to the right to vote for the general population. In the parliamentary elections, observers monitoring the vote were intimidated, which has not occurred in the country since 2009.

The civil sector was quite active in 2019. It performed watchdog activities in relation to political appointments at state institutions and in government decisions taken hastily without public consultation. At the same time, civil society continued to face big challenges—most notably, defamatory campaigns orchestrated by state institutions, political parties, and partisan media.

The media freedom situation continued to deteriorate in Moldova, although problems that independent media face remained much the same, such as the ongoing intimidation of journalists. The change of government power did not lead to the de-politicization of regulatory institutions, and the dominant forces in the media sector affiliated with the PDM simply repositioned themselves as the PSRM's influence grew.

The quality of democratic governance at the local level remains low. The year saw massive political migration of local public authorities (LPAs) away from the PDM—spurred by intimidation, this movement highlights the ongoing political dependence of LPAs on the central administration. Planned administrative-territorial reforms dating back to 2016 did not advance at all during the year.

Despite challenges facing the justice system, the sector achieved some small successes in 2019. The change of government power saw judges step forward and speak out about problems in the justice system. On the other hand, the practice of making appointments to the judiciary based on political criteria continued. The PSRM and the ACUM entertained different approaches for reforming the justice system, with the PSRM preferring to slow-walk changes to the sector and the ACUM pushing for radical reforms. This difference became the stumbling block that led to the breakup of the coalition.

The Sandu government launched several actions that injected new life into the fight against corruption. A number of PDM and Shor Party figures implicated in corruption were charged, although many cases were unresolved at year's end, as these figures fled the country.

Moldova's foreign policy in 2019 wavered between a pro-Western stance under the Sandu government, tasked with resetting and strengthening relations with the European Union (EU) and United States, and, after November, a pro-Russian stance exhibited by the Chicu government. In its five months in power, the Sandu government managed to regain EU trust, which led in October to the release of the first tranche of €30 million in macro-financial assistance and €55 million in sectoral

assistance, **4** which had been suspended in 2017. However, the fall of the Sandu government and subsequent appointment of a “technocratic government” staffed by PDM and PSRM cadres renewed development partners’ suspicions toward Chișinău. **5**

Resolution of the Transnistrian conflict stagnated in 2019 in the wake of Moldova’s internal challenges. A new round of 5+2 negotiations in Bratislava failed to yield any commitments, **6** while an effort to improve material conditions in Transnistria stalled as the breakaway authorities in Tiraspol made no progress on certain human rights indicators. **7**

The year’s political uncertainties negatively affected the country’s economy. However, despite a slight slowdown, domestic and foreign experts, including the International Monetary Fund (IMF) and the World Bank, forecasted gross domestic product (GDP) growth of around 4.5 percent for 2019, fueled by rising exports as well as growth in industry.

National Democratic Governance 1.00-7.00 pts

Considers the democratic character of the governmental system; and the independence, effectiveness, and accountability of the legislative and executive branches.

2.50
/ 7.00

- Moldova’s political processes were marked by extreme turbulence in 2019. The parliamentary elections on February 24, and the resulting political reconfiguration, evicted the PDM from government but not before the party attempted to challenge the legitimacy of the “compromise coalition” between the PSRM and the ACUM. The coalition prevailed, although conflict over different visions for justice reform brought it down after only five months, with the PSRM triggering a successful no-confidence vote and then forming a new government with the PDM in November.
- The parliamentary elections were the most significant political event of the year and changed the country’s political landscape: of the 101 mandates in

Parliament, the PSRM won 35, the PDM 30, the ACUM 26, and the Shor Party 7, while independent lawmakers secured the remaining 3 seats. ⁸

- On June 8, almost three months after the validation of mandates and after several rounds of negotiations among the three largest factions that acceded to Parliament, the PSRM and the ACUM struck a coalition deal. ⁹ On the same day, 61 lawmakers from the PSRM and the ACUM elected Zinaida Greceanîi as speaker of Parliament and Maia Sandu as prime minister.
- The PDM did not take part in the June 8 parliamentary session, claiming that the deadline for the creation of a parliamentary majority had expired on June 7. The constitution gives lawmakers “three months” to form a government after parliamentary elections, a clause the PDM interpreted to mean 90 days after February 24. ¹⁰ Consequently, the PDM asserted that the only legitimate government was the incumbent one headed by former prime minister Pavel Filip (of the PDM). The PDM appealed to the Constitutional Court, which decided to declare the Sandu government illegal, dismiss Parliament, and relieve President Dodon of his duties for failing to call new elections. ¹¹ Following the court rulings, riot police, accompanied by groups of pro-PDM protesters, blockaded government buildings. The coalition stood its ground, declaring Moldova a “captured state” and dismissing the leadership of the Intelligence and Security Service (SIS) and National Anticorruption Centre (CNA). ¹²
- The political deadlock ended on June 14, when Filip and PDM leader Plahotniuc, under intense internal and external pressure, stepped down. Shortly thereafter, ¹³ Plahotniuc and Ilan Shor, leader of the Shor Party, fled the country, as they were publicly accused by the coalition of attempting to usurp power as well as direct involvement in the “billion-dollar theft.” ¹⁴ On June 15, the Constitutional Court annulled its earlier rulings, and its judges resigned en masse later in the month. ¹⁵
- The shift in government expanded the political influence of the ACUM, the PSRM, and President Dodon, whose powers were strengthened. In June, as part of the coalition deal, the SIS ¹⁶ and the State Protection and Guard

Service (SPPS) ¹⁷ were put under the president's purview; previously, they were subordinate to Parliament.

- A disagreement over the process for selecting a new general prosecutor brought the Sandu government down just five months after it was formed. On November 6, Sandu proposed that the prime minister should submit a “shortlist” of candidates for the post to the Superior Council of Prosecutors (SCP), accusing the PSRM of tampering with the agreed-upon selection process under the auspices of the Ministry of Justice. ¹⁸ Antagonized, the PSRM initiated a no-confidence motion on November 8, which succeeded four days later with the support of PDM lawmakers, ¹⁹ thus putting an end to the coalition.
- Only one day after the Sandu government's dismissal, President Dodon nominated Ion Chicu, his advisor and the former minister of economy in the Filip government, to the prime minister's post. On November 14, the Chicu government was voted in by 62 lawmakers from the PDM and the PSRM, restoring the “tacit alliance” between the two parties, which had existed up until the February parliamentary elections. ²⁰ Dodon called the Chicu government “technocratic” and nonpartisan, but six of its ten ministers are his former advisers, two are former advisers to Speaker of Parliament Greceanîi, and one is the PSRM's former lawyer. ²¹

Electoral Process 1.00-7.00 pts

Examines national executive and legislative elections, the electoral framework, the functioning of multiparty systems, and popular participation in the political process.

4.00
/7.00

- In 2019, Moldova held both parliamentary elections and local elections. Although turbulent, in general, the right to vote was respected in both elections, which were competitive but less than fully free and fair in some respects.

- The parliamentary elections on February 24 were organized for the first time using a mixed electoral system, which, according to the Organization for Security and Co-operation in Europe (OSCE) and the Venice Commission, had been adopted by the former PDM regime without “meaningful and inclusive parliamentary debate.” ²² The OSCE and Venice Commission further noted that the shift from a fully proportional system could give undue influence to “businesspeople or other actors who follow their own separate interests.”
- Following the results of the elections (see “National Democratic Governance”), the composition of Parliament changed dramatically compared to its previous iteration. Several parties acceded to Parliament for the first time (the ACUM electoral bloc and the Shor Party), while other once-prominent parties did not pass the electoral threshold (including the Communists, the Liberals, and the Liberal Democrats). Turnout was 50.57 percent, a drop of 7 percent vis-à-vis the 2014 parliamentary elections. ²³ Later, in October, by-elections took place in four constituencies after lawmakers resigned or accepted positions in government. ²⁴
- Monitoring organizations observed a number of irregularities at the polls. ²⁵ The Civic Coalition for Free and Fair Elections, a group of Moldovan civil society organizations, declared the vote “unfair and partially free.” ²⁶ The OSCE’s Office for Democratic Institutions and Human Rights (ODIHR) pointed to “strong indications of vote buying and the misuse of state resources.” ²⁷ Troublingly, the vote marked the first time in a decade in which domestic election observers were intimidated. ²⁸ After the Sandu government criticized the conduct of the vote, the management of the Central Election Commission (CEC) resigned and was replaced. ²⁹
- On the same day as the parliamentary elections, citizens also participated in a consultative referendum organized on the PDM’s initiative. ³⁰ It proposed decreasing the size of Parliament from 101 to 61 seats as well as introducing a mechanism for recalling lawmakers. ³¹ A majority backed both proposals, ³² but the referendum was not legally binding. The civil sector described the referendum as a means for the PDM to gain political capital. ³³

- In August, Parliament annulled Moldova’s mixed electoral system and revived use of the former fully proportional system. **34** It also repealed a law passed by the PDM in December 2018, less than three months prior to the parliamentary elections, that allowed campaigning on the day before and the day of an election. **35**
- On October 20, local elections took place in all administrative-territorial units across the country (see “Local Democratic Governance”). The vote saw one of the lowest participation rates in the country’s history—just 41.7 percent, almost 8 percent less than in 2015. **36** The low turnout can be explained by population loss, voter fatigue, deception by the political class, **37** and decreased trust in local public authorities.
- Controversially, in September, the CEC refused to register independent candidate and former acting mayor of Chișinău Ruslan Codreanu in the local election for the capital city’s mayoralty, accusing him of attempting to falsify signatures. **38** Codreanu was viewed as having a legitimate chance at reaching the second round of the vote.

Civil Society 1.00-7.00 pts

Assesses the organizational capacity and financial sustainability of the civic sector; the legal and political environment in which it operates; the functioning of trade unions; interest group participation in the policy process; and the threat posed by antidemocratic extremist groups.

4.75
/7.00

- Moldova’s civil sector was vibrant in 2019. Throughout the year, civil society organizations (CSOs) reacted to each government infringement upon democratic norms or controversial decisions that undermined democratic processes. Yet even though the sector proved quite dynamic, it still faced systemic problems, including, perhaps most importantly, persistent but usually non-physical attacks from political actors.
- According to a state registry, there were over 13,500 CSOs registered in Moldova as of November 2019, an increase of 1,000 from 2018. **39** However, this does not necessarily mean that the sector has developed or that it is

being consulted more frequently by government. **40** According to some evaluations, almost half of all CSOs are inactive, and many lack funding or the capacity to access available funds. **41**

- The 2016 “Law of 2 percent,” **42** which grants citizens the right to redirect 2 percent of their income tax to CSOs and religious organizations, remains an important instrument for the civil sector, but it did not solve the CSO funding challenges. Some shortcomings have also emerged in the tax redirection mechanism. For instance, inactive CSOs and little-known groups with no visible contribution to community development have benefitted the most. **43** The largest beneficiary of the “Law of 2 percent” in 2018, the Public Association of Veterans and Pensioners of the Ministry of Internal Affairs, does not have a website, and its primary activity is the social protection of its members. **44**
- The regulatory framework for CSOs has improved, albeit slowly and with delays in the implementation of some laws or strategies. For example, a draft law on nonprofit organizations, long advocated by civil society groups, was tabled in 2019 despite passing its first reading in Parliament in May 2018. **45** In addition, the government’s Strategy for Civil Society Development, adopted by Parliament in March 2018, **46** remained unimplemented during the year. **47**
- In 2019, as in previous years, several cases of attacks and intimidation of CSOs were registered, especially in the first half of the year. **48** In April, pro-PDM media outlets spread false information about the Institute for Public Policy and the Soros Foundation Moldova in an attempt to smear PAS leader Sandu, **49** while in October, outlets with a similar profile attacked the Legal Resources Centre from Moldova when it weighed in on the judicial reform process (see “Judicial Framework and Independence”). **50**
- The civil sector was outspoken during the parliamentary maneuverings and power shifts in June (see “National Democratic Governance”), pressuring the Constitutional Court and other actors to defuse the political crisis. **51** CSOs continued to play a watchdog role throughout the year, becoming vocal when controversial figures were appointed to key positions in state institutions like the CNA and SIS. **52**

Independent Media 1.00-7.00 pts

Examines the current state of press freedom, including libel laws, harassment of journalists, and editorial independence; the operation of a financially viable and independent private press; and the functioning of the public media.

3.00
/ 7.00

- Conditions for independent media in Moldova did not improve in 2019, as problems from previous years persisted and, in some cases, became more acute. In fact, the media sector grew even more divided as a result of the year's political upheavals. Oligarchic control over prominent news outlets and politicized regulation contributed to divisions within the sector. In addition, an ongoing lack of public access to information and quality media content drove declines in the country's international rankings on press freedom and sustainability. **53** Domestic monitoring organizations echoed these findings, reporting occasional threats to the safety of journalists and a continued deterioration in the sector's financial health. **54**
- Changes within the Moldovan political scene also triggered a reconfiguration of the media sector. After June, the PSRM replaced the PDM as the dominant force on the Audiovisual Council (AC), the country's broadcasting regulator. In September, the AC exempted PSRM-friendly *NTV Moldova* and *Accent TV* from a list of stations monitored for fair coverage of local elections; it also decided to grant one of the four national terrestrial broadcasting licenses—which became available when *Channel 2*, a station controlled by Plahotniuc, gave it up—to *Channel One in Moldova*. **55**
- On the heels of the new Code of Audiovisual Media Services, National Concept of Media Development, and Concept of Information Security, all adopted in 2018, **56** minor amendments to laws regulating the media sector were passed in 2019. **57** None of these changes were significant enough to stimulate growth in the sector. Several important legislative initiatives were delayed by the former PDM government. Those included amending the law on advertising and supporting periodicals of social significance. Also, amendments to

arguably the most important statute, the Law on Access to Information, were not brought to a vote in final reading. The Sandu government did not prioritize these initiatives, and the new Chicu government has almost totally overlooked the media in its action plan for 2020–23, inserting only one objective and one action item related to this sector. ⁵⁸

- The editorial independence of the public broadcaster TRM, guaranteed by its charter, remains flawed. According to the new Code of Audiovisual Media Services, the members of TRM’s Board of Supervisors are to be appointed by the AC, ⁵⁹ which, as noted above, is highly politicized. Domestic monitoring organizations identified sporadic instances of biased coverage in TRM’s reporting. ⁶⁰
- Moldova’s concentrated advertising market continues to threaten the survival of independent media. ⁶¹ The duopoly on top—*Casa Media Plus*, allegedly controlled by the PDM and Plahotniuc, and *Exclusive Sales House*, which has close links with the PSRM ⁶²—distorts the playing field, as most independent media have little access to advertising revenues and are thus not sustainable.
- Journalists continued to face adverse working conditions in 2019, fostered by the lack of transparency of public institutions and limited access to some categories of information. For example, throughout the year, journalists from certain independent media outlets (such as *TV8*, *Jurnal TV*, and *Ziarul de Gardă*) were denied access to several public events. ⁶³ However, public trust in the media remains high, with 52 percent of respondents reporting a favorable opinion of the media in a May 2019 poll. ⁶⁴

Local Democratic Governance 1.00-7.00 pts

Considers the decentralization of power; the responsibilities, election, and capacity of local governmental bodies; and the transparency and accountability of local authorities.

2.50
/7.00

- Moldovans’ trust in local government fell in 2019, although local public authorities (LPAs) are the fourth most trusted institution in society, after the

church, the armed forces, and the media. ⁶⁵ This drop can be explained by the overt politicization of LPAs, writ large in the migration of mayors toward political parties in power. Politicization, together with a high degree of centralization, are the most formidable challenges faced by LPAs.

- After the PDM went into opposition in June, 134 mayors left the party. This exodus reversed the trend of mayors defecting to the PDM while it was in power from 2015 to 2019. Out of 898 mayors elected in 2015, more than half were pressured to change their political affiliation, migrating to the PDM. ⁶⁶
- The mandates of incumbent LPAs expired in June. ⁶⁷ At that time, Parliament decreed that local elections would take place in October and November. This marked the first time in the history of the country that local elections were held more than four months after the expiration of the incumbent LPA mandates. ⁶⁸
- In 898 localities, citizens elected new mayors on October 20, with runoff elections held two weeks later. Candidates from the PDM won 260 mayoralties, while the PSRM won 206, the ACUM 170, the Liberal Democratic Party of Moldova 48, and the Shor Party 43, while the remainder of mayoralties went to smaller political parties and independent candidates. ⁶⁹ Voters also chose the leadership of Moldova's 32 *rayons*. The PSRM won an absolute majority of seats on four rayon councils; the PDM and the Shor Party each won one council outright, while no party secured outright control over the remaining councils. The councils then elected rayon presidents. The PSRM won the presidency of 18 rayons, the PDM 10, the ACUM 3, and one for the Shor Party. ⁷⁰
- In Chișinău, which has an administrative status equal to that of rayons, 19 candidates ran for mayor. In the runoff vote, PSRM candidate Ion Ceban edged out ACUM candidate Andrei Năstase. ⁷¹ Ceban's election marked the first time since 1991 that a left-wing candidate and a member of a pro-Russian party won the mayoralty of Chișinău, which has long been considered a stronghold of pro-European forces in Moldova. ⁷² Năstase had bested Ceban in the 2018 special election for the capital city's mayoralty, but a court annulled his victory on a technicality in a politically contentious ruling. ⁷³

- Reform of Moldova's administrative-territorial system, a priority of the former government's Strategy on Public Administration Reform for 2016–20, did not advance at all in 2019 due to the country's complicated and highly dynamic political situation during the year. The last development in this respect took place in November 2018, when a group of domestic and international experts presented an analysis of the shortcomings of the current administrative-territorial system (chiefly, the dependence of municipalities on central government transfers) to the Filip government along with a vision for reform.

74

- In June, the Sandu government identified the acceleration of administrative and fiscal decentralization as one of its priorities. **75** However, experts noted that this initiative was still insufficient to strengthen the financial independence of LPAs. **76** The new Chicu government will have its own priorities.

Judicial Framework and Independence 1.00-7.00 pts

Assesses constitutional and human rights protections, judicial independence, the status of ethnic minority rights, guarantees of equality before the law, treatment of suspects and prisoners, and compliance with judicial decisions.

2.75
/7.00

- In 2019, Moldova's justice system remained flawed by a subservient judiciary. However, some steps toward change were taken in the second half of the year when the Sandu government declared justice system reform as its first priority. Unfortunately, appointments made to the Constitutional Court and General Prosecutor's Office showed that the system continued to be influenced by political interests. Furthermore, the dismissal of the Sandu government demonstrated a high degree of resistance to change inside the system, and a much greater degree of political will is needed to complete the reform process. **77**
- In March, the International Commission of Jurists (ICJ) presented a report evaluating the independence of the judiciary in Moldova. **78** The report

concluded that past efforts at reforming the justice system “left Moldova with, broadly, good legislation but with a poor, insincere and ineffective implementation.” ⁷⁹ It recommended changes to the working culture of judges, who should be expected to protect and promote their independence and condemn political meddling. ⁸⁰

- In June, the entire six-member composition of the Constitutional Court resigned after annulling its decisions against the Sandu government (see “National Democratic Governance”), ⁸¹ which were criticized by the Venice Commission and other expert bodies. ⁸² In August, new members were elected to the Constitutional Court. ⁸³ In line with the law, two members were appointed by the government, two by Parliament, and two by the Superior Council of Magistrates (CSM), the administrative organ of the judiciary. A majority of the new members then elected Vladimir Turcan, a PSRM lawmaker and close ally of President Dodon, as chair of the court. ⁸⁴ His election was fiercely criticized by the ACUM, which alleged that the PSRM had effectively taken over the court. ⁸⁵
- In July, the general prosecutor, Eduard Harunjen, resigned. ⁸⁶ Since his appointment in 2016, Harunjen had faced accusations of politicizing his office, ⁸⁷ misconduct including ordering illegal interceptions, ⁸⁸ and accumulating illicit wealth. ⁸⁹ At the end of the month, Dumitru Robu was appointed interim general prosecutor by Parliament. ⁹⁰ In September, the Sandu government modified the way the general prosecutor is appointed by empowering the Ministry of Justice to create a preselection commission, ⁹¹ thus weakening the nominating role of the Superior Council of Prosecutors (CSP), which the Sandu government considered politically motivated. ⁹²
- The appointment of a new general prosecutor was, as it turned out, a major stumbling block for the PSRM-ACUM coalition. According to some observers, ⁹³ the potential election of a noncorrupt, independent, and therefore uncontrollable person to this position threatened President Dodon and the PSRM, which has been accused of illegal self-financing. ⁹⁴ The Sandu government accused the PSRM of trying to tamper with the candidate selection process after Petru Bobu, a member of the preselection commission

designated by the speaker of Parliament (who is a member of the PSRM), distorted the commission's assessments of various candidates. ⁹⁵

- Consequently, on November 6, Minister of Justice Olesea Stamate scrapped the preselection commission. Prime Minister Sandu's cabinet then attempted to bypass Parliament in order to amend the Law on Prosecution Services to empower the prime minister to submit a shortlist of candidates to the CSP. Together with the PDM, the PSRM then initiated a no-confidence motion against the Sandu government, which Parliament passed on November 12.
- On November 28, the CSP nominated Alexandru Stoianoglo to the position of general prosecutor. The next day, President Dodon appointed Stoianoglo to the position. Analysts called this appointment a compromise between the PDM and the PSRM, as Stoianoglo has been a member of PDM since 2014 and was deputy general prosecutor from 2001 to 2007. ⁹⁶
- Sandu's minister of justice, Olesea Stamate, had presented a new concept of radical reform in the justice sector in August, well before the Sandu government fell. ⁹⁷ The concept called for narrowing the competences of the Supreme Court of Justice (CSJ) to focus more on the unification of jurisprudence and less on the examination of individual cases, including by decreasing the court's size from 33 to 17 members and providing external evaluations of SCJ judges. It also called for increasing the size of the CSM from 12 to 14 members; reducing the role of the CSP in appointing the general prosecutor; and making grand corruption cases the focus of the Anticorruption Prosecutor's Office, while transferring cases related to systemic corruption to the National Anticorruption Centre (CNA). ⁹⁸
- At the beginning of October, this new concept was sent to the Venice Commission for consultation, which advised that radical changes could be justified in critical situations where the judiciary was corrupt. ⁹⁹ However, once the Sandu government was dismissed, the new minister of justice in the Chicu government, Fadei Nagacevschi (a former lawyer for the PSRM), advanced a very different concept, one of "small" reform to the justice sector. ¹⁰⁰ This concept was negatively received by experts and civil society

representatives, who argued that its goal was to knowingly hamper real reform. ¹⁰¹

- In 2019, prosecutors and judges started to speak out about abuse, intimidation, and political interference in the justice system. ¹⁰² In June, judge Mihai Murguleț from the Chișinău District Court made known that he had been asked to “settle a civil case in favor of a person.” ¹⁰³ He refused to comply with the request and, as a result, was threatened with a demotion at his next evaluation. Based on his accusation, the CSM suspended CSJ chairman Ion Druță, Chișinău District Court president Radu Turcanu, and several other officials. ¹⁰⁴
- At the end of September, the Anticorruption Prosecutor’s Office accused CSJ chairman Druță of illicit enrichment, arresting him in October. ¹⁰⁵ In December, Druță, together with Oleg Sternioală (another CSJ judge accused of money laundering), were stripped of their judgeships. ¹⁰⁶
- On December 3, a court ordered the early release of former prime minister Vladimir Filat, after he had spent more than four years behind bars for bribery. ¹⁰⁷ His sentence was reduced after he was found to have suffered “inhuman and degrading conditions” in prison. ¹⁰⁸ Filat’s release caused a row between the opposing political parties. The PSRM blamed the ousted Sandu government for Filat’s early release, while the ACUM held President Dodon responsible. ¹⁰⁹

Corruption 1.00-7.00 pts

Looks at public perceptions of corruption, the business interests of top policymakers, laws on financial disclosure and conflict of interest, and the efficacy of anticorruption initiatives.

2.25
/7.00

- In June–July 2019, the Sandu government jumpstarted the fight against corruption in Moldova. ¹¹⁰ Thus, at the beginning of August, a number of corruption-related cases among high-ranking officials were uncovered by the competent bodies. ¹¹¹ Several corrupt schemes coordinated by PDM cadres

began to be dismantled, and investigations were initiated into these matters.

¹¹² In doing so, the Sandu government showed that the country was capable of holding high-ranking officials criminally accountable.

- The de-politicization of public anticorruption institutions, however, remains a major challenge in Moldova's fight against corruption. On June 8, the PSRM-ACUM coalition ousted the incumbent leadership of the National Anticorruption Centre (CNA). In July, after a bitter nomination fight, ¹¹³ Ruslan Flocea, a close ally of President Dodon, was appointed the new head of the CNA. ¹¹⁴ Prime Minister Sandu remarked that "the [nomination] contest was not honest." ¹¹⁵
- On the other hand, the National Integrity Authority (ANI)—responsible for checking officials' income declarations to identify illicit assets, conflicts of interest, and the like—started to fulfill its obligations after years of dysfunction. ¹¹⁶ While the efficiency and effectiveness of this institution remains low, ¹¹⁷ anticorruption experts say the ANI has made small steps in the right direction. ¹¹⁸
- In June, a parliamentary commission launched an investigation into what has been dubbed the "billion-dollar theft"—a scandal in which a criminal group tied to oligarch and Shor Party leader Ilan Shor borrowed and then neglected to repay almost \$1 billion in loans from three Moldovan banks. ¹¹⁹ In the same month, Shor fled the country and began to sell off his ill-gotten assets. ¹²⁰ In July, Shor's possessions were confiscated, his parliamentary immunity was waived, and a warrant was issued for his arrest. ¹²¹
- Also in July, the parliamentary commission chairman Alexandr Slusari published a report from the private investigation company Kroll that detailed the bank theft scheme but did not name its beneficiaries. ¹²² This report had been kept secret by the former PDM government. In a September press conference, Slusari announced that Plahotniuc was the primary beneficiary of the "billion-dollar theft," while former prime minister Filat and the so-called Shor group were secondary beneficiaries. ¹²³ That same month, the General Prosecutor's Office opened several criminal cases in connection with the

scheme, which saw two lawmakers from the Shor Party stripped of their parliamentary immunity, detained, and arrested. ¹²⁴

- In September, the PSRM-ACUM coalition waived the parliamentary immunity of two more lawmakers—Vladimir Cebotari of the PDM ¹²⁵ and Petru Jardan of the Shor Party—after the General Prosecutor’s Office initiated criminal proceedings against them for fraud related to a 2013 contract for operating Chişinău International Airport. ¹²⁶
- Former Minister of Transport Iurie Chirinciuc was sentenced in May to three and a half years in prison in a corruption-related case, but he did not attend his sentencing and was presumed to be at large. ¹²⁷ The Sandu government announced an international search for Chirinciuc in October. ¹²⁸

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Note

The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 7 representing the highest level of democratic progress and 1 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The Democracy Percentage, introduced in 2020, is a translation of the Democracy Score to the 0–100 scale, where 0 equals least democratic and 100 equals most democratic.

Footnotes

- ¹ Cotidianul, Maia Sandu, la Bruxelles: Vrem ca în Republica Moldova să nu mai existe „putere oligarhică” [Maia Sandu, in Brussels: We want no “oligarchic power” in the Republic of Moldova], 24 July 2019, <https://cotidianul.md/2019/07/24/maia-sandu-la-bruxelles-vrem-ca-in-rep...>

- 2 Radio Free Europe / Radio Liberty, Ministrul de interne confirmă că Plahotniuc a ieșit din R. Moldova prin regiunea transnistreană [The Interior Minister confirms that Plahotniuc has left Moldova through the Transnistrian region], 20 June 2019, <https://moldova.europalibera.org/a/ministrul-de-interne-confirm%C4%83-c...>
- 3 Ziarul de Garda, Moldova Announces Fugitive Oligarch, Vladimir Plahotniuc In International Search, 4 November 2019, <https://zdg.md/eng/investigative/moldova-announces-fugitive-oligarch-vl...>
- 4 European Commission, EU approves €30 million disbursement in Macro-Financial Assistance to the Republic of Moldova, 10 October 2019, https://ec.europa.eu/commission/presscorner/detail/en/ip_19_6060
- 5 TV8, Mesaj scandalos! Consilierul lui Dodon acuză diplomații UE de fraudă bancară. Reacțiile lui Năstase, Popescu și Michalko [Scandalous message! Dodon's adviser accuses EU diplomats of bank fraud. The reactions of Nastase, Popescu and Michalko], 18 October 2019, available in Romanian at <http://tv8.md/2019/10/18/mesaj-scandalos-consilierul-lui-dodon-acuza-di...>

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60 / 100 **Partly Free**

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